

September 22, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: **Subscriber Acknowledgement Report (September 22, 2005)**
ICG Telecom Group, Inc.; WC Docket No. 05-196

Dear Ms. Dortch:

ICG Telecom Group, Inc. ("ICG"), through its undersigned counsel and in response to the Commission's VoIP E911 Order ("Order") and the Public Notice issued by the Enforcement Bureau ("Bureau") on August 26, 2005 ("Public Notice"), submits this Subscriber Acknowledgement Report ("Report") to advise the Commission of the status of ICG's efforts to comply with Commission Rule 9.5(e). ICG previously filed Subscriber Acknowledgement Reports on August 10, 2005 in response to the Bureau's July 26, 2005 Public Notice ("August 10 Report"), and on September 1, 2005 in response to the August 26, 2005 Public Notice ("September 1 Report").

As requested in the Public Notice, ICG responds to the following questions set out in the Public Notice:

- 1) **A detailed explanation regarding current compliance with the notice and warning sticker requirements *if* the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.**

As reported in ICG's September 1 Report, since July 8, 2005, ICG has undertaken a significant campaign to provide notice and warning stickers to all of its VoIP subscribers, pursuant to the Commission's requirements under the VoIP E911 Order, and Commission Rule 9.5. These efforts were also detailed in ICG's August 10 Report. As of September 1, 2005, the Company had provided all of its customers the requisite notifications and warning labels. The Company has also implemented procedures to ensure that all new VoIP subscribers receive and

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acknowledge the Company's 911 notifications, as well as receive appropriate warning labels as required under Commission Rule 9.5.

- 2) **A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005.**

As of September 21, 2005, ICG has obtained affirmative acknowledgement from approximately 91% of its VoIP subscriber base. ICG cannot predict with certainty what its final response rate will be, but estimates that 4% of its customers (*i.e.*, approximately five (5) end-user accounts) will still not have provided affirmative acknowledgement by September 28, 2005.

- 3) **A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory.**

As discussed in ICG's September 1 and August 10 Reports, the Company plans to continue its telephone campaign to contact and obtain affirmative acknowledgments from all of its subscribers until the Commission's deadline for compliance: September 28, 2005. As previously indicated, ICG expects that despite its diligent efforts, it will be unable to obtain affirmative acknowledgements from some subscribers by this deadline. If the Company does not receive acknowledgments by the September 28, 2005 deadline, it plans to disconnect those VoIP subscribers from their service until an affirmative acknowledgment is received. For those disconnected customers, beginning on September 28, 2005, when such a subscriber attempts to place a call, the caller will receive a recorded message to contact ICG's customer service center or such calls will be automatically routed to ICG's customer service center, which will again explain that ICG must receive an affirmative acknowledgment in order for the subscriber's VoIP service to be restored.

- 4) **A detailed description of any and all plans to use a "soft" or "warm" disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgment by September 28, 2005.**

Beginning on September 28, 2005, when a disconnected subscriber attempts to place a call, the caller will receive a recorded message to contact ICG's customer service center or such calls will be automatically routed to ICG's customer service center, and ICG will again explain that ICG must receive an affirmative acknowledgement in order for the subscriber's VoIP service to be restored. Under such circumstances, ICG will still allow such a subscriber to complete 911 calls.

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Respectfully submitted,

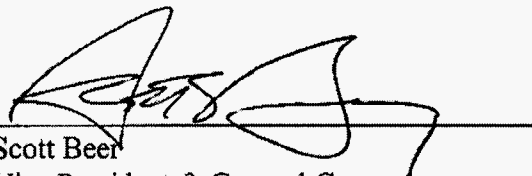
A handwritten signature in black ink, appearing to read "Tamar E. Finn". The signature is fluid and cursive, with the first name "Tamar" being more prominent than the last name "Finn".

Tamar E. Finn

Counsel for ICG Telecom Group,
Inc.

cc: Byron McCoy (FCC)
Kathy Berthot (FCC)
Janice Myles (FCC)
Best Copy and Printing, Inc.

I, Scott Beer, state that I am Vice President and General Counsel, of ICG Telecom Group, Inc.; that I am authorized to submit the forgoing *Subscriber Acknowledgement Report* ("*Report*") on behalf of ICG; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read "Scott Beer", is written over a horizontal line.

Name: Scott Beer

Title: Vice President & General Counsel
ICG Telecom Group, Inc.